

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

STEVEN GREGORY MILLER, # 72922

PLAINTIFF

VERSUS

CIVIL ACTION NO. 5:15cv26-DCB-MTP

**CONTRACT MANAGER LEE, DR. JAMES
BURKE, ASSOCIATE WARDEN
WALKER, WARDEN SHAW, CASE
MANAGER ARIRINGTON, M.T.C.,
LIEUTENANT BURGE, CAPTAIN
MCGARY, MARGIE BROWN, and
INVESTIGATOR JAMES**

DEFENDANTS

ORDER GRANTING MOTION TO AMEND AND DENYING TRO

BEFORE THE COURT are *pro se* Plaintiff Steven Gregory Miller's Motion Requesting Restraining Order and Motion to Amend [8] and Motion Requesting Restraining Order [13]. Plaintiff is incarcerated with the Mississippi Department of Corrections, and he challenges the conditions of his confinement. Plaintiff requests temporary restraining orders to have him transferred to a state run prison and to leave his tray flap open. Plaintiff further seeks to amend his Complaint to add new allegations, concerning his conditions of confinement. The Court has considered Plaintiff's Motions and the relevant legal authority.

The motion to amend is granted. The Court will consider the allegations contained within the pleadings.

The Court finds that the requests for temporary restraining orders, however, are not well taken. Plaintiff has failed to demonstrate that he is entitled to a temporary restraining order under Federal Rule of Civil Procedure 65(b).

IT IS THEREFORE ORDERED AND ADJUDGED that *pro se* Plaintiff Steven Gregory

Miller's Motion Requesting Restraining Order and Motion to Amend [8] is GRANTED to the extent it is a motion to amend and is DENIED in all other respects..

IT IS FURTHER ORDERED AND ADJUDGED that Plaintiff's Motion Requesting Restraining Order [13] is DENIED.

SO ORDERED AND ADJUDGED, this the 23rd day of July, 2015.

s/David Bramlette
UNITED STATES DISTRICT JUDGE